

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:23-cv-00098-FDW**

|                                 |   |                     |
|---------------------------------|---|---------------------|
| <b>RODWYN ANTONIO TAYLOR,</b>   | ) |                     |
|                                 | ) |                     |
| <b>Plaintiff,</b>               | ) |                     |
|                                 | ) |                     |
| <b>vs.</b>                      | ) | <b><u>ORDER</u></b> |
|                                 | ) |                     |
|                                 | ) |                     |
| <b>JAMES W. RAMSEY, et al.,</b> | ) |                     |
|                                 | ) |                     |
| <b>Defendants.</b>              | ) |                     |
|                                 | ) |                     |

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**THIS MATTER** is before the Court on Plaintiff's "Motion for Speedy Trial." [Doc. 59].

Pro se Plaintiff Rodwyn Antonio Taylor ("Plaintiff") is a prisoner of the State of North Carolina currently incarcerated at Alexander Correctional Institution in Taylorsville, North Carolina. On April 7, 2023, he filed this action pursuant to 42 U.S.C. § 1983. [Doc. 1]. Plaintiff's Amended Complaint survived initial review in accordance with the Court's Order and the Court entered a Pretrial Order and Case Management Plan. [Docs. 27, 28, 39]. The current discovery deadline is September 3, 2024, and the current dispositive motions deadline is September 19, 2024. [6/28/2024 Text Order].

Now pending is Plaintiff's "Motion for Speedy Trial" [Doc. 59], in which Plaintiff purports to invoke, *inter alia*, the Sixth Amendment's "speedy trial guarantee" and the Speedy Trial Act of 1974, claiming protection "from undue post accusation delay." [Id. at 1]. Plaintiff argues that "the trial must be within seventy days of the filing of the information date[.]" [Id. at 2]. The Court will deny Plaintiff's motion. Neither the Sixth Amendment nor the Speedy Trial Act require that a civil trial be held within any certain period. Plaintiff is not a criminal defendant in this action. Rather, he is prosecuting a case against the Defendants he has sued. If Plaintiff's case survives

summary judgment and the parties do not settle their dispute, the Court will set a trial as soon as practicable given the Court's numerous demands.

**IT IS, THEREFORE, ORDERED** that Plaintiff's "Motion for Speedy Trial" [Doc. 59] is **DENIED**.

**IT IS SO ORDERED.**

Signed: August 2, 2024

  
Frank D. Whitney  
United States District Judge